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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,779	11/14/2001	Terrell Jones	8250.1526-00	3140

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EXAMINER

AL HASHEMI, SANA A

ART UNIT PAPER NUMBER

2161

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/990,779

Applicant(s)

JONES ET AL

Examiner

Sana Al-Hashemi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is issued in response to applicant amendment filed 8/9/05.
2. Claims 1-45 are pending. None were canceled. None were added.

Applicant's arguments filed 8/9/ have been fully considered but they are not persuasive.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-45 are rejected under 35 U.S.C. 102(e) as being unpatentable over Vance et al (US Patent No. 6,442,526).

Regarding Claims 1, 7, 32, 37, and 41, Vance discloses a method for processing a query of a travel database, comprising:

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receiving a selected arrival location and a selected departure location (Fig. 14C, orientation and destination, Vance);

finding a set of desirable fares between the arrival location and the departure location (Fig. 14D, Flight list, Vance);

constructing possible itineraries between the arrival location and the departure location associated with the desirable fares (Col. 5, lines 31-33, Vance);

applying a set of rules to the possible itineraries (Col. 8, lines 53-57, Vance);

querying an availability portion of the travel database for available travel units based upon the applied set of rules and the possible itineraries (Fig. 14D, status, Vance); and

displaying the available travel units in at least a portion of a calendar of a calendar-based user interface (Fig. 14D, 372, Vance).

Regarding Claims 2, 8, and 33, Vance discloses a method wherein the calendar-based user interface displays applicability data and availability data simultaneously (Fig. 14D, 372, Vance).

Regarding Claims 3, and 9, Vance discloses a method wherein applicability data comprises an indication of whether a travel unit is allowed on a pre-specified day based on the set of rules (Col. 7, and 8, lines 65-67, and 1-25, respectively, Vance).

Regarding Claims 4, 10, 34, and 35, Vance discloses a method wherein the availability data comprises an indication of whether a travel unit is at least one of (1) available for sale and (2) sold out (Fig. 14D, status, Vance).

Regarding Claims 5, and 11, Vance discloses a method wherein the calendar-based user interface comprises a display of at least a portion of a calendar (Fig. 14E, 376, Vance).

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Regarding Claims 6, 12, and 36, Vance discloses a method wherein the display further includes user-selectable hyperlinks for selecting a desired travel date (Fig. 14C, Date and Time, Vance).

Regarding Claim 13, Vance discloses a calendar-based user interface for displaying query results from a database containing travel data comprising:

a calendar showing a plurality of days corresponding to the query; an availability indicator for each of the plurality of days showing available itineraries relating to the query (Fig. 14D, 372, Vance); and

an applicability indicator for each of the plurality of days showing itineraries relating to the query which apply based on a set of rules and restrictions from travel providers (Fig. 14D, Detailed Itinerary, Vance).

Regarding Claims 14, and 17, Vance discloses a user interface wherein the availability indicator comprises a shaded day within the calendar for indicating whether a travel unit is available on the shaded day (Fig. 14E, 376, Vance).

Regarding Claims 15, 18, and 40, Vance discloses a user interface wherein the availability indicator comprises an availability icon associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Fig. 14E, 374, Vance).

Regarding Claims 16, and 19 Vance discloses a user interface wherein the availability indicator comprises a user-selectable hyperlink associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Col. 11, lines 44-56, Vance).

Regarding Claims 20, 25, 26, and 31, Vance discloses a method for administering an availability portion of a relational travel database, comprising:

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receiving an availability message from a first travel provider (Fig. 14G, flight list, Vance);

analyzing the availability message to determine one or more affected travel segments ( Fig. 14Q, Original Reservation, Vance);

querying a schedule portion of the relational travel database for the one or more affected travel segments ( Fig. 14Q, Alternate Reservation, Vance); and

writing a record to an availability portion of the relational database based on a status portion of the availability message if the one or more affected travel segments are found in the schedule portion of the relational database ( Fig. 14Q, Trip Activity Log, Vance).

Regarding Claims 21, and 27, Vance discloses a method further comprising: initializing the relational travel database by processing a snapshot of existing availability messages at a predetermined time into the availability portion of the relational travel database (Fig. 14Q, 406, Vance).

Regarding Claims 22, and 28, Vance discloses a method further comprising: placing the availability message in a queue corresponding to the first travel provider ( Fig. 14R, 408, Vance).

Regarding Claims 23, and 29, Vance discloses a method further comprising: processing the availability message corresponding to the first travel provider in parallel with an additional availability message corresponding to a second travel provider (Fig. 14S, 374, Vance).

Regarding Claims 24, and 30, Vance discloses a method further comprising:

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adding the availability message to an alternative processing queue if the one or more affected travel segments are not found in the schedule portion of the relational database (column 13, lines 54-64, Vance).

Regarding Claim 38, Vance discloses a method further comprises a lowest fare between the arrival location and the departure location (Fig. 14C, Vance).

Regarding Claim 39, and 45, Vance discloses a method further comprising:

Applying a set of rules to the possible itineraries (Fig. 14E, Vance);

Wherein the querying step comprises querying the availability portion further based upon the applied set of rules (Fig. 14C, Vance, where the step of allowing users to select specific options is applying a set of rules to the query).

Regarding Claim 42, Vance discloses a method wherein said determining step comprises:

constructing possible itineraries between the arrival location and the departure location associated with the desirable fare, the possible itineraries being for a plurality of days of at least one month (Fig. 14D, Vance);

querying an availability portion of the travel database for available travel units for at least one day of the at least one month based upon the possible itineraries (Fig. 14E, Vance); and

displaying in a calendar the dates that the desired fare is available (Fig. 14E, Vance).

Regarding Claim 43, Vance discloses a method wherein the receiving step comprises receiving a selected arrival location and a selected departure location independent of at least one of a departure date or an arrival date, and wherein the determining step comprise finding a desirable fare and constructing possible itineraries between the arrival location and the departure location for a plurality of at least one of departure dates or arrival dates (Fig. 14D, Vance).

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Regarding Claim 44, Vance discloses a method wherein the desirable fare comprises a lowest fare between the arrival location and the departure location (Fig. 14C, Vance).

### ***Response to Amendment***

Applicant argues that Vance does not disclose the display of possible itineraries with no reference to the fare in a calendar, as is recited in independent Claims 1 and 7. and Vance does not teach or suggest displaying available travel units in a calendar based user interface.

Examiner disagrees. Referring to Fig. 14A, Vance discloses display of itineraries with no reference to the fare in a calendar.

Applicant argues that the Vance patent does disclose a graphical user interface of a trip planning.

Examiner disagrees. Vance discloses the user of GUI in trip planning as shown in Fig. 14D Vance, however, none of the claims applicant argued limitation a "trip planning" which makes the argument dismissible.

Applicant argues that Vance does not teach or suggest a user interface including calendar and an availability indicator for each day of the calendar that shown available itineraries to a query.

Examiner disagrees. By referring to Fig. 14E the calendar does display an availability indicator for each day of the calendar that shown available itineraries to a query.



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Applicant argues that Vance fails to a method or apparatus for administering an availability portion of a relational travel database.

Examiner disagrees. Applicant is arguing the preamble not a limitation cited in the body of the claims, and by referring to Col. 13, lines 37-47, Vance discloses a method of administering an availability portion of a relational travel database.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on 8Am-4:30 Pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4013. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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September 14, 2005



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